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10/618,036	07/11/2003	Jin Teik Teh	03172-UPS	4142

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EXAMINER

HARPER, LEON JONATHAN

ART UNIT PAPER NUMBER

2166

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/618,036	Applicant(s) TEH ET AL.	
	Examiner Leon J. Harper	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to the application 10618036 filed on 7/11/2003.

Claims 1-17 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 6 recites the limitation "the all client" in line 2. There is insufficient antecedent basis for this limitation in the claim. The language "the all client is unclear, there is no previous mention of an all client. Examiner assumes for the purposes of this action that "the all client" was meant to be "the client" (mentioned in claim 1).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5,11,14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6345279 (hereinafter Li).

3. As for claim 1 Li discloses: identifying a device character of a client device (See column 6 lines 3-5), then obtaining an identified result (See column 6 lines 30-34); calculating a transformation parameter according to the identified result (See column 6 lines 42-44); and transforming an original content data into a transformed content data according to the transformation parameter (See column 6 lines 44-47).

As for claim 2 the rejection of claim 1 is incorporated and further Li discloses: storing the transformed content data into a content cache, indexed by a set of device character (See column 6 lines 51-53).

As for claim 3 the rejection of claim 1 is incorporated, and further Li discloses: wherein the content data is an image data (See column 4 line 8) and the device character is image related parts (See column 6 lines 10-15).

As for claim 4 the rejection of claim 1 is incorporated and further Li discloses: wherein the content data is a video data (See column 4 line 8) and the device character is video related parts (See column 6 lines 10-15).

As for claim 5 the rejection of claim 1 is incorporated and further Li discloses: wherein the content data is an audio data (See column 4 line 8) and the device character are audio related parts (See column 6 lines 10-15).

As for claim 11 Li discloses: a memory (See column 12 lines 41-42); a first set of program instructions for transforming a original content data into a t transformed content data (See column 6 lines 44-47); and a second set of program instructions, which for responding when a request which is sent from a certain client device (See column 4 lines 5-10).

As for claim 14 the rejection of claim 11 is incorporated, and further Li discloses: wherein the content data is an image data (See column 4 line 8) and the device character is image related parts (See column 6 lines 10-15).

As for claim 15 the rejection of claim 11 is incorporated and further Li discloses: wherein the content data is a video data (See column 4 line 8) and the device character is video related parts (See column 6 lines 10-15).

As for claim 16 the rejection of claim 11 is incorporated and further Li discloses: wherein the content data is an audio data (See column 4 line 8) and the device character are audio related parts (See column 6 lines 10-15).

As for claim 17 the rejection of claim 11 is incorporated, and further Li discloses: Wherein the memory is a hard disk (See column 3 lines 52-56).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 6,8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li as applied to claim 1 above, and further in view of US 0021929 (hereinafter Lin).

As for claim 6 the rejection of claim 1 is incorporated and further Li differs from the claimed invention in that wherein the device character of the all client device being stored in a device capability table (DCT) is not explicitly disclosed. Lin however, discloses: wherein the device character of the all client device being stored in a device capability table (DCT) (See paragraph 0032 and Device registration table). It would have been obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made to have incorporated the teaching on Lin into the system of Li. The modification would have been obvious because technology is rapidly developing and the table means the system does not have to communicate with the device (See Lin paragraph 0005).

As for claim 8 the rejection of claim 6 is incorporated and further Li discloses: wherein the content data being an image data (See column 4 line 8) and the device character being image related parts (See column 6 lines 10-15).

As for claim 9 the rejection of claim 6 is incorporated and further Li discloses: wherein the content data being a video data (See column 4 line 8) and the device character being video related parts (See column 6 lines 10-15).

As for claim 10 the rejection of claim 6 is incorporated and further Li discloses: wherein the content data being an audio data (See column 4 line 8) and the device character being audio related parts (See column 6 lines 10-15).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Li in view of Lin.

5. As for claim 7 Li discloses: obtaining the device character of the requesting client device (See column 6 lines 3-5); using the obtained device character to find out the best version of the content data from the content cache (See column 11 lines 33-36); and transmitting the best version of the content data to the requesting client device (See column 11 lines 54-55).

Li differs from the claimed invention in that from the DCT is not explicitly indicated. Lin however does disclose a DCT (See paragraph 0032 and Device registration table). It would have been obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made to have incorporated the teaching on Lin into the system of Li. The modification would have been obvious because technology is rapidly developing and the table means the system does not have to communicate with the device (See Lin paragraph 0005).

Claims 12,13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li as applied to claim 11 above, and further in view of US 0021929 (hereinafter Lin).

As for claim 12, the rejection of claim 11 is incorporated, and further Li discloses: a identifying module, for identifying a device character of a client device (See column 4 lines 9-10 web server=module) and; a calculating module, for calculating a transformation parameter according to the device character (See column 6 lines 42-44); and a transforming module, for transforming an original content data into a transformed content dam according to the transformation parameter (See column 6 lines 44-47); and a storing module, for storing the transformed content data into a content cache (See column 4 lines 24-27 "infoPyramid), indexed by a set of device character.

Li differs from the claimed invention in that storing the device character in the DCT is not explicitly indicated. Lin however does disclose a DCT storing device characters (See paragraph 0032 and Device registration table). It would have been obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made to have incorporated the teaching of Lin into the system of Li. The modification would have been obvious because technology is rapidly developing and the table

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means the system does not have to communicate with the device (See Lin paragraph 0005).

As for claim 13, the rejection of claim 12 is incorporated, and further Li discloses: a obtaining module, for obtaining a device character (See column 6 lines 30-34), wherein the device character is owned a client device which sends a request (See column 4 lines 5-7); a determining module, for determining a version of content data suitable for the client device according to the device character (See column 6 lines 42-46); and a transmitting module, for transmitting the determined version of the content data to the client device (See column 6 lines 46-49).

Li differs from the claimed invention in that the DCT is not explicitly disclosed. Lin however does disclose a DCT (See paragraph 0032 and Device registration table). It would have been obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made to have incorporated the teaching of Lin into the system of Li. The modification would have been obvious because technology is rapidly developing and the table means the system does not have to communicate with the device (See Lin paragraph 0005).

Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon J. Harper whose telephone number is 571-272-0759. The examiner can normally be reached on 7:30AM - 4:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LJH
Leon J Harper
December 27, 2005


HOSAIN ALAM
PRIMARY PATENT EXAMINER